

Blue Ribbon Commission for Health Care Reform

CONFLICTS OF INTEREST POLICY

PURPOSE

The purpose of this policy is to:

- ensure that the activities of the Commission remain transparent to the public;
- protect the public's interest when the Commission is contemplating a decision or action that would benefit the private interest of a Commission member;
- assure that all individuals who, by virtue of their position, can influence decisions affecting work of the Commission, perform their duties in an impartial manner free from any bias caused by their association with any group or entity that submit proposals for consideration by the Commission;
- clarify the duties and obligations of Commission members in the context of potential, apparent, or actual conflicts of interest and, further, to provide such individuals with a method for disclosing and resolving such conflicts of interest;

This policy is intended to supplement state laws that could be otherwise applicable.

POLICY STATEMENT

This Commission has been established pursuant to the laws of the State of Colorado. It is the policy of this Commission that members of the Commission, including its committees and staff, undertake their respective responsibilities with an unbending duty of loyalty and fidelity to the Commission and the state of Colorado. Commissioners are to perform the affairs of this Commission honestly and openly, exercising their best care, skill and judgment for the benefit of the Commission and the general public of the state of Colorado.

Commissioners have an obligation to make full disclosure of all interests, actions, or relationships which might result in, or have the appearance of, a conflict or interest in satisfying their obligations to this Commission. In that regard, it is the policy of this Commission to ensure the disclosure of all potential, apparent or actual conflicts of interest in a timely manner.

DEFINITIONS

FINANCIAL INTEREST. A Commissioner has a financial interest if:

(1) he or she has, directly or indirectly, any ownership or investment interest in any entity which presents a proposal for health care reform to the Commission; or

(2) he or she is employed by an entity which presents a proposal for health care reform to the Commission; or

(3) he or she is employed by an entity or is a member of an entity, that would financially benefit, either directly or indirectly, from a proposal for health care reform presented to the Commission; or

(4) he or she is employed by an entity or is a member of an entity, that would be adversely financially impacted by a proposal for health care reform presented to the Commission.

AFFILIATED INTEREST. A Commissioner has an affiliated interest if:

(1) he or she has been actively engaged in creating, in whole or in part, a proposal that is submitted to the Commission for consideration; or

(2) he or she is associated with an organization that has created or assisted in the creation of a proposal to the Commission.

PROCEDURES

DUTY TO DISCLOSE. In the event of any potential, apparent, or actual conflict of interest, the Commissioner must disclose the existence and nature of his or her Financial Interest or Affiliated Interest to the Commission prior to the consideration of the affected proposal.

COMMISSION ACTION. After disclosure of a potential, apparent, or actual conflict of interest, the Commission shall consider what, if any, impact the conflict of interest shall be given in considering the merits of the proposal. A Commissioner shall not be the key author of a proposal.

In no event shall a proposal, otherwise duly submitted, be disqualified from consideration by the Commission solely because a Commissioner has a potential, apparent, or actual conflict of interest, if that conflict of interest is disclosed in a timely manner.

FAILURE TO TIMELY DISCLOSE CONFLICTS OF INTEREST. If the Commission, or any member thereof, has reasonable cause to believe that a member of the Commission has failed to disclose a potential, apparent, or actual conflict of interest, it shall inform the member of the basis for such a belief and afford such person an opportunity to explain the alleged failure to disclose.

If, after hearing the response of such person and after making such further investigation as may be warranted in the circumstances, the Commission determines that a Commissioner has in fact failed to disclose a conflict of interest, it may take appropriate corrective action, including the disqualification of the proposal and/or referral to the individual's appointing authority.

RECORDS OF CONFLICTS OF INTERESTS

The minutes of the Commission shall contain the names of all persons who disclosed or otherwise were found to have a financial interest or an affiliated interest in connection with any proposal and the nature of the interest in question.

While it is the Commission's policy to hold all deliberations and decision making in public view, any matter which may disclose personal information that would fall within the personal information exemption under the Colorado Open Meetings Act and the Colorado Open Records Act, may result in the Commission holding its deliberations in Executive Session, in conformance with said Acts.

STATEMENTS PERTAINING TO CONFLICTS OF INTEREST

The Commission shall present each Commissioner with a copy of the attached "Statements Pertaining to Conflicts of Interest." The purpose for such statements shall be to accomplish disclosure of all potential, apparent or actual conflicts of interest in advance. If a Commissioner becomes aware that a potential, apparent, or actual conflict may exist which has not been disclosed previously on such a statement, it shall be the responsibility of that Commissioner to disclose the conflict of interest to the Commission in a timely manner prior to any further Commission discussions or actions with respect to the relevant proposal.

STATEMENT PERTAINING TO THE 208 COMMISSION CONFLICTS OF INTEREST POLICY

I have received a copy of the Conflicts of Interest Policy, have read and understand the Conflicts of Interest Policy, and in signing this statement, I hereby agree to comply not only with the Conflicts Policy's literal expression, but also with what I believe to be its intent.

I may have certain financial interests or affiliated interests which may give rise to a potential, apparent, or actual conflict of interest, as set forth below. The nature of those interests, the specific proposals that the Commission may receive to which such conflicts may exist, and the reasons why such interests may give rise to a potential, apparent, or actual conflict of interest are as follows:

Please write "none" if applicable. Please attach additional sheets if additional space is needed.

I also hereby certify that if any possible proposal should be considered in the future with respect to which I have a potential, apparent, or actual conflict of interest, and which has not been disclosed in this Statement, I will promptly disclose the circumstances to the Commission and will comply with the Conflicts of Interest Policy in all regards with respect to such proposal.

Name

Date